



Order Filed on September 9, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In re:

HANJIN SHIPPING CO., LTD.,<sup>1</sup>

Debtor in a Foreign Proceeding

Case No.: 16-27041 (JKS)

Chapter: 15

Judge: Hon. John K. Sherwood

**ORDER DENYING HANJIN SHIPPING CO., LTD'S CROSS MOTION TO  
COMPEL GEODIS USA, LLC TO ARBITRATE**

The relief set forth on the following pages, numbered two (2) and three (3), is hereby  
**ORDERED.**

**DATED: September 9, 2021**

Honorable John K. Sherwood  
United States Bankruptcy Court

<sup>1</sup> The last four digits of Hanjin Shipping Co., Ltd.'s Business Registration Number are 1835. The Debtor's main corporate and mailing address is 659 Gonghang-daero Gangseo-gu, Seoul 07557, Korea.

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THIS MATTER having been opened to the Court upon the motion (the "Motion") of Geodis USA, LLC ("Geodis") for relief from paragraph 5(e) of the Court's *Final Order Granting Recognition of Foreign Main Proceeding and Certain Related Relief Pursuant to Sections 362, 365(e), 1517, 1520, 1521 and 105(a) of the Bankruptcy Code* (the "Final Recognition Order") [Docket No. 486] to permit Geodis to initiate and pursue an action seeking a declaratory judgment (the "Declaratory Judgment Action") against debtor Hanjin Shipping Co., Ltd. (the "Debtor") in the United States District Court for the Southern District of New York (the "District Court"); and upon *Hanjin Shipping Co., Ltd's (a) Objection* (the "Objection") to *Motion of Geodis USA, LLC for Relief from Paragraph 5(e) of the Final Recognition Order To Permit Declaratory Judgment Action Against the Debtor in Federal District Court and, (b) Cross Motion* (the "Cross Motion") to *Compel Geodis USA, LLC To Arbitrate* [Docket No. 792], *Geodis USA, LLC's Objection to Hanjin Shipping Co., Ltd's Cross-Motion to Compel Geodis USA, LLC to Arbitrate* [Docket No. 794], *Hanjin Shipping Co., Ltd's Reply to Geodis' Objection to Hanjin Shipping Co., Ltd's Cross-Motion to Compel Geodis USA, LLC To Arbitrate* [Docket No. 795]; and all parties in interest having been heard or having had the opportunity to be heard regarding the relief sought in the Motion and the Objection; and the Court having reviewed and considered the Motion, the Objection, and their related Notices, the arguments of counsel made at the hearing(s) before this Court on the Motion (the "Hearing"); and after due deliberation thereon, and good cause appearing therefor, and due and proper notice of the Motion and the Objection having been provided, and it appearing that no other or further notice need be

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provided; and upon the record of the hearing on August 31, 2021; and after due deliberation and sufficient cause appearing therefor, it is hereby

**FOUND, DETERMINED AND ORDERED THAT:**

1. The Cross Motion to compel Geodis to Arbitrate is DENIED WITHOUT PREJUDICE, and all of Hanjin Shipping Co., Ltd's arguments and claims are preserved.
2. The terms of this Order shall be effective and enforceable immediately upon entry notwithstanding the fourteen-day stay provided for in Fed. R. Bank. P. 4001(a)(3) or any other provision in the Bankruptcy Code or Federal Rules of Bankruptcy Procedure to the contrary.
3. This Court shall retain jurisdiction with respect to any and all matters or disputes arising from or related to the implementation or interpretation of this Order.